

City of La Verkin

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La Verkin City Council Meeting Minutes Wednesday, November 5, 2014 6:00 p.m. Council Chambers, 111 S. Main, LaVerkin, Utah

Present: Mayor Kerry Gubler; Council-Members: Brandon Stephenson, Richard Hirschi, Ken Hooten, Chantelle Browning, and Randy Reeve; Staff: Kyle Gubler, Derek Imlay, Troylinn Benson, Kevin Bennett, Chief Ben Lee, and Christy Ballard; Public: John & Rose Valenti, Paula Beatty, Eileen McKell, Sharon & Shane Collard, Terrie McIntosh, Tim Hopkinson, Shannon Wastling, Ray Justice, Dave Crouse, and Leland Freeborn

A. Called to Order – Invocation and Pledge of Allegiance by Randy Reeve at 6:00pm.

B. Recognitions:

Mayor Gubler explained Chief Lee has someone he would like to give recognition to not on the agenda.

Chief Lee recognized Officer Amber Crouse for a job well done at saving the life of a woman who had stopped breathing. Officer Crouse was able to perform CPR and essentially save this woman's life. Officer Crouse was also able to assist the Sheriff's Office by being the first officer on scene and again offered lifesaving CPR.

Chief Lee introduced Sharon and Shane Collard and turned the time over to them.

Shane Collard-His wife is the woman Officer Crouse saved. In this potential tragedy the Collard's came up with a plan to not only assist La Verkin City by donating AUD's, which are currently not available in all of the police cars, but other communities and schools who may not have a budget for equipment. The initial goal was to earn enough money to donate one machine but there are a lot of people who love Mrs. Collard so they were able to raise enough money to donate four machines, one for each police vehicle. They are now making it a national cause to try and get money together from people who can afford it and put AUD machines wherever they can. Hopefully the community never needs them but if they do now they have them available in each vehicle. The Collards thanked Officer Crouse and the police department along with Chief Kuhlmann and his department.

Mayor Gubler thanked the Collards for their generous donation and is grateful Mrs. Collard is doing well. He also thanked Officer Crouse for what she has done and mentioned how grateful the Council is for her addition to our police force.

Mayor Gubler, along with the Beautification Committee presented Bob and Libby Wilson with a certificate and thanked them for their contribution and community service.

C. Presentation:

1. Leland Freeborn

Leland Freeborn is a resident of Parowan Utah. He is originally from Bakersfield California and farmed thousands of acres there. He is a convert to the Mormon Church and moved to Parowan Utah. In October of 1975 he was flying back to Parowan from Milford and crashed his plane and was in a coma for three weeks.

After that he sold his land to pay off the debt and built an 800 square foot shelter 11 feet underground. He is here tonight to honor Officer Crouse for saving a life and to appeal to the City Council to save hundreds of lives in the community. Mr. Freeborn believes sometime in late December there is going to be a surprise attack that will ultimately kill one hundred million people in the United States. Nellis Air Force Base is one of the targets and is close enough to us that we will get fall out.

Mr. Freeborn is not selling anything but would like La Verkin to have a community meeting where he can talk to people and instruct them on things they can do, medicine they can buy to be prepared to survive the fallout.

He has spoken at 16 city councils in southern Utah and has given this Council several different flyers explaining survival information. He is a qualified as a Radiological Monitor in Iron County and recommends finding out who the monitor is for La Verkin.

Mr. Freeborn is available to meet until December 17, 2014.

2. St. George-Zion Shuttle system-Five County Association of Governments

This presentation is about a conversation that is happening about a possible bus service between St. George and Zion National Park (see handout).

Over the years there have been numerous studies done about a transit service in this corridor. Specifically in 2010 there were two studies done, the Dixie Bus Route Transit Study and second, the Hurricane to Zion Canyon Transit Study. Both studies showed there is a need for a transit service for various reasons in this community. Recently Hurricane, Springdale, and the Park have shown an interest in starting a bus service.

One of the findings from the studies was that the service needs to start small and then grow from there. Because of the interest, they convened a group of representatives along the corridor which includes Kyle Gubler and other representatives from communities along the corridor as well as the Park. The general consensus was to start looking into instituting a commuter service route. This would run during peak times with limited stops along the way. It would run between St. George and Zion National Park with an Interlocal Agreement with St. George City.

Sun Tram has come up with some numbers of the cost to start this bus service also included in the handout. The initial cost would be 2.5 million dollars. This would include all of the communities along Highway 9 with 2 or 3 stops in La Verkin and would run four times in the morning, one time around lunch, and four times in the evening. There are Federal grants available with 80% Federal and 20% local match for Capital and 50/50 for operating expenses. The fare revenue and the advertising revenue are not included in the figures and would lower the cost.

There does need to be another study or implementation plan for this route to happen.

There are a couple of questions that need to be asked. One is the amount of the fare and the other is where the funds are going to come from.

There has been a lot of interest shown but it needs buy in from all of the cities along the corridor for it to happen. It has yet to be determined what funds would be needed.

Mayor Gubler asked if the size of the community and the exposure of the community would be taken into consideration when deciding the participation fee. He doesn't feel La Verkin would gain very much from this project.

It was replied that the purpose will not be just to get to Zion but citizens can use it to get to work or doctor appointments etc whether in Hurricane or St. George.

It will not be wholly based on population because Springdale will benefit greatly from this and they indicated they would expect to have a large investment. The Park is also another stake holder that they are exploring some funding through.

The Hurricane Design Transit Study gave some estimates in regard to amount of people who would use a more ramped up service. When the Implementation Plan is done it will give estimates for this particular service, which is a more feasible starting service.

The next step will be to bid out for the Implementation Plan which will require a 20% local match. It has not been decided where that money will come from.

D. Consent Agenda: (Items on the consent agenda may not require discussion. These items will be a single motion unless removed at the request of the Mayor or City Council.)

1. Declarations of conflict of interest
2. Agenda
3. Minutes: October 1, 2014 regular meeting minutes
4. Review Invoices and Checks: \$200,447.30

Motion was made by Councilman Richard Hirschi to approve the consent agenda as written including the October 1, 2014 regular meeting minutes and the checks and invoices in the amount of \$200,447.30, second by Councilman Brandon Stephenson. Roll Call Vote: Browning-yes, Hirschi-yes, Stephenson-yes, Hooten-yes, Reeve-yes. Motion carried unanimously.

E. Committee Reports:

1. Planning Commission –Councilman Hirschi reported there was a short meeting discussing subdivision requirements. La Verkin's requirements need to be updated. When that is complete it will come before the Council.
2. Water Board – Kyle reported water contracts where discussed. La Verkin is substantially under the allotted water usage for the year.
There is a position open on the Water Board.

Mayor Gubler stated we would like to continue to encourage the citizens to be as conservative as they can with their water usage.

3. Fire District-Chief Kuhlmann reported they are still moving forward on discussions with Washington City to build a fire station in the Coral Canyon area. It will serve areas of Washington, Hurricane and the unincorporated areas the Fire District services.

Kyle Gubler and Chief Kuhlmann will be attending a workshop to try and restore some funding for the addition on the La Verkin firehouse.

4. Sewer Board-Blair reported the budget was approved for just over 3 million dollars. The new pump station is going in just past the River and will service Harrisburg, Walmart and Purgatory. It will be just over \$400,000 to restore that station. The concrete is deteriorating in the wet well that sets under the building so a new building and wet well have to be put in. The new concrete has a 50 year guaranteed life on the wet well.
A lot of lines that were installed in 1950-60's have been replaced in Hurricane, they will continue with that project this year too. The main line by Brentwood that feeds Hurricane and La Verkin needs to be replaced this upcoming year.
These types of projects are why the Sewer District needs such a large budget.

5. Community Garden- Richard reported it will be getting tilled soon.

F. Citizen Comment & Request for Future Agenda Items:

Tim Hopkinson- Has had been a resident of La Verkin for over 20 years. He is at this meeting to address the noise coming from Black Ridge Cross Fit. He lives directly behind it. Mr. Hopkinson has called the City several times, the last time he was told it was a police matter. When he called the police, Chief Lee went to his home and told him that no matter how loud it got the department was not going to do anything about it. That the Council and the City agreed that Cross Fit was bringing in money so there was not anything the police department would do.

Last Wednesday the noise was so loud and obnoxious. The garage door was open and lights were blinking on and off with the music so loud Mr. Hopkinson drove two blocks away and could still hear it. This went on until 9:40pm. The next night it was until 7:30pm. This morning it started at 4:45am. Not the music but people screaming and there is noise from the weights. He can't leave his door or windows open.

Councilman Reeve mentioned the noise ordinance states 6am-10pm.

Mr. Hopkinson stated he has had guests in his home that have commented on how early the noise starts. He has put a lot of time and money into his home making it a comfortable place to stay. He also enjoys gardening and spending time in his back yard and it has become too uncomfortable for him to do that.

Councilman Hirschi has talked to Mr. Hopkinson on the phone and has also talked to one of the owners of Cross Fit. Wednesday it was loud because they were having a Halloween party. The owner told Councilman Hirschi their schedule is from 5am-5:30pm.

Mr. Hopkinson said when Cross Fit first started and he began having problems the City was pretty compliant. He was told by former Police Chief Watkins that Cross Fit was told before they opened they could not disturb the residents. Chief Watkins is gone now and he would like to find out what can be done. Why Cross Fit can't just close the door. If the garage doors were closed, it would take a lot of the noise away. It starts early in the morning and most nights goes until 9pm.

Councilman Reeve asked Chief Lee if the noise starts before 6am could the residents file a complaint under the current noise ordinance.

Chief replied that they could and it would be investigated.

Terrie McIntosh- She lives next to Tim. Her problem is the lights. They are on 24/7 and they shine right into her bedroom window. The lights came on October 10th and didn't go off until midnight October 14th and some of those days no one was even there.

The noise started this morning at 5am and she sleeps with her window open. There is screaming all the time day or night if people are working out.

Mayor Gubler will check the noise ordinance and have the Chief check on the lights over the next few nights.

Shana Harris-she lives directly behind Cross Fit. The noise is a problem for her too. She has a one and a half year old and they start really early. She also has a problem with them saying 5:30pm because sometimes it's pretty late. It goes all day long. She can put movies on loud and the infant will sleep through it but because Cross Fit plays music with the deep throaty base it will wake him up no matter what part of the house he is in. This morning she was in her bathroom with all of the doors and windows shut and she could still hear it at 6:30am. It may not be violating any ordinances right now but it is a matter of courtesy. She has called Cross Fit and the person was very rude and kept cutting her off. Anyone that is brazen enough to call themselves Hurricane Valley Cross Fit should care about the citizens.

She has lived in the same house for 20 years and the business wasn't there. She did not make a conscious decision to move behind a gym.

G. Business:

No business items.

H. Staff, Mayor & Council Reports:

City Administrator- Kyle Gubler

The State Street Clean-up had pretty good participation.

Winterfest Celebration will be December 6th.

The hotel has the Best Western Plus sign up today. Most of the items the City needs have been taken care of but they still need to take care of some health and safety issues for the fire department.

The new restaurant will be going in north of the Post Office.

The building impact fee report is included in his handout.

Bob Brinton is a La Verkin resident. He has some museums he has constructed that are pretty amazing.

The Brinton's are getting older and they would like to donate them to the City of La Verkin somehow.

Kyle was very impressed with them and feels it may be worthwhile for the City to look into. He also invited the Councilmembers to go see what Mr. Brinton has.

There is a handout from the Trust. In July 2015 we will be receiving our portion of an approved 1 million liability dividend back. Kyle is not sure the amount.

There is a ZC3 handout.

The La Verkin Elementary thanked the City Officials for their support in their Leader in Me Program.

Public Safety- Chief Ben Lee

Chief reported an increase in solicitors selling without a business license. There was an arrest made and a citation issued. He reminded to solicitors to follow the City's ordinances.

Animal Control is hosting an event Saturday "Home for the Holidays". Several different animal groups will be coming together at our shelter.

This fiscal year we have already surpassed the number of DUI arrests made in the entire last fiscal year.

There have been a couple of lost children over the last couple of weeks; the department was successful in finding them. Anytime there is a missing or lost child, please call as soon as possible.

Councilwoman Browning asked if most of the DUI's are on State Street and if there was any more discussion on the inmate program.

Chief Lee replied yes, most of the DUI's are on State Street and since the last meeting the inmates have a set schedule and are under constant supervision.

Director of Operations-Derek Imlay

There is a handout for each Councilmember.

The District had the irrigation shut down Monday afternoon to move the line. They did not get finished so the irrigation will be out until Friday afternoon. The District will be doing some repair work on December 1st so that will be the date the City takes it out for the winter unless we get freezing weather before then.

There is a water usage chart included in his handout. As of October 11th we still have 968 acre feet of unused irrigation water.

Derek passed around pictures of drainage concerns the crew have been dealing with around town. For the most part, the City handled the three 100 year floods we received in the last month and a half very well.

The State does an audit on the culinary system every few years. Hurricane and La Verkin have been working together on making sure everything is ready for that.

There are a few subdivisions that are getting close to finalizing, that will be coming to the City Council.

Ashely did go to the doctor and received approval for light duty. However, he is not able to come back to work until he has no restrictions.

The backhoe has been repaired.

Treasurer-Troylinn Benson

The financials for the first quarter were emailed to the Councilmembers. If there are any questions call Kyle or Troylinn.

Ray Justice reported on the election.

645 out of 1173 registered voters turned out for the elections this year. He thanked Derek and his crew for help in setting everything up. He also thanked the volunteers, Bryan Bracken, Heidi Mock, Gary Richardson, Bonita Sutton, and Kristi Bearclaw.

Mayor Gubler- November 19th City Council meeting will be cancelled.

Browning- Nothing to report.

Hirschi-Nothing further to report.

Stephenson-Nothing to report.

Hooten-Nothing to report.

Reeve-Volleyball and flag football both went very well. Basketball will be starting November 18th.

I. Adjourn:

Motion was made by Councilman Brandon Stephenson to adjourn, second by Councilman Richard Hirschi. Motion carried unanimously at 7:04pm.

Minutes were taken on behalf of the City Recorder by Christy Ballard.

December 3, 2014
Date Approved

ATTEST:

Kyle Gubler
Kyle Gubler
City Recorder

Kerry T. Gubler
Mayor Kerry T. Gubler